







Drawn from the Life by L. P. Boitard & engraved by him.

Elizabeth Canning.

TRUTH TRIUMPHANT:

Or, the

GENUINE ACCOUNT

Of the Whole

PROCEEDINGS

AGAINST

ELIZABETH CANNING,

Tried and Convicted of Perjury, at the Sessions-
House in the *Old-Bailey*, *Tuesday, May 7.*

For falsely swearing a Robbery against

Mary Squires, the Gipsy,

FOR WHICH

Robbery she was capitally convicted, and after-
wards received his Majesty's most gracious
Pardon.

L O N D O N:

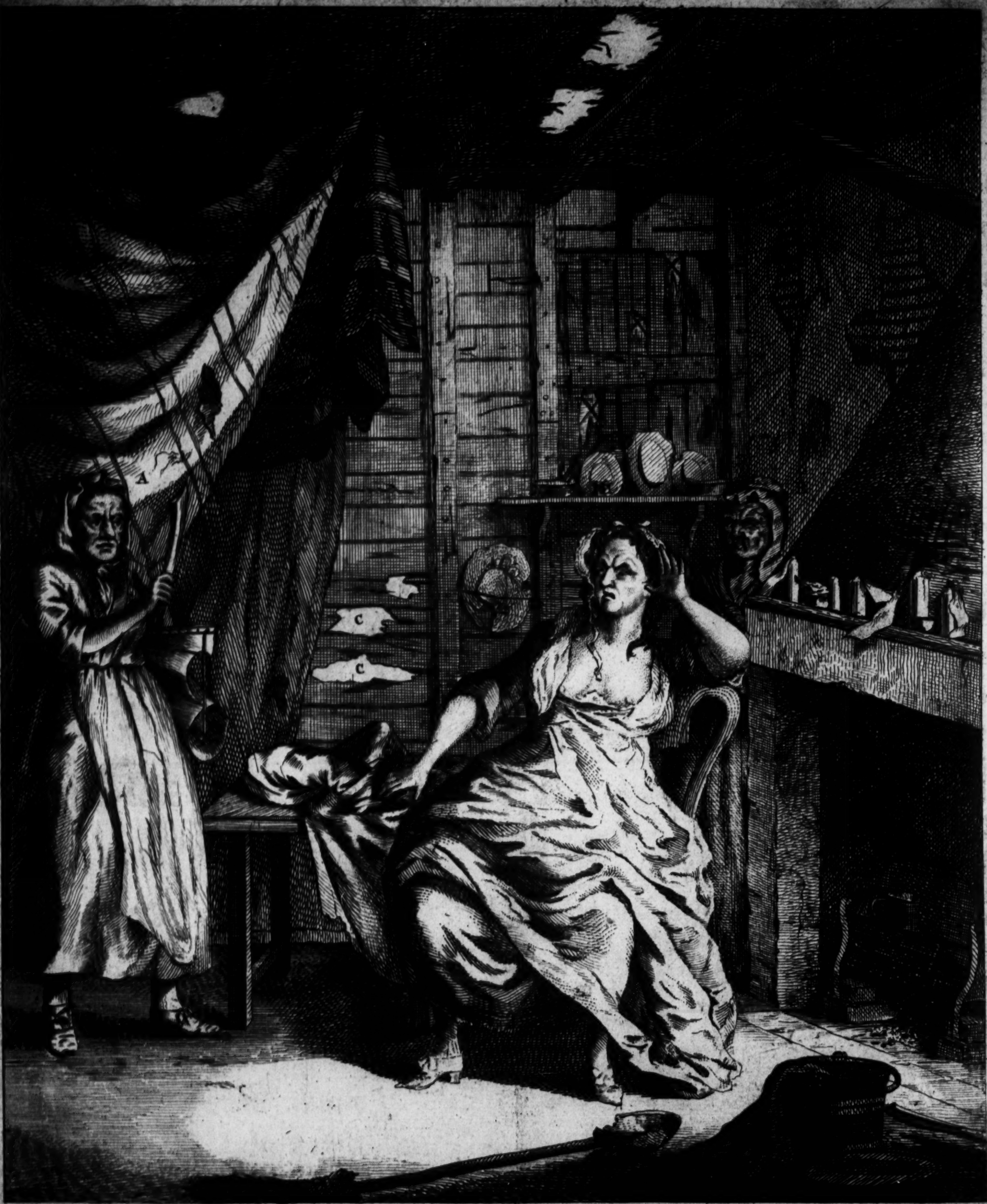
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ACCOUNT
PROCEEDINGS
IN
THE
COURT
OF
COMMONS
IN
PARLIAMENT ASSEMBLED
IN
THE
YEAR
OF
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ONE
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AND
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BY
JAMES
WILKINSON
OF
THE
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C
S
ELIZABETH CANNING
At the House of Mother WELLS at Enfield Wash.

Drawn from the Life.

This young Creature, whose Modesty and General Conduct had always recommended her where known, was kidnap't on the 1st of January last, under Bedlam Wall, by two Ruffians; who, after depriving her of her Senses by the Blows they gave her, forcibly Carried her to the infamous House aforesaid: where, having been first stripp'd by Elizabeth Squires the Gipsy, she was closely shut up in a dismal Room, and supported only with stale Crusts and Water, for a whole Month, in order to force her to Prostitution. From these dreadful Circumstances this resolutely-virtuous Creature happily made her Escape, by scratching a way thro' the Wall; whereby she recover'd her Liberty, and return'd to her Mother in Rosemary Lane, almost naked, and in a condition too deplorable to be describ'd.

A. Elizabeth Squires the Gipsy. B. Mother Wells. C.C. The Holes which Elizabeth Canning made with her Fingers, thro' which she Escap'd.

(1)

PROCEEDINGS

AGAINST

ELIZABETH CANNING.



O much has been already said on the Case of *Elizabeth Canning*, as well in Support of her Innocence, as to prove her guilty of the most notorious Imposition, that it may be thought difficult to advance any Thing at this Time, which the Publick has not already been well informed of. However, as this Affair has at length been brought to an Issue, new Matter has started up, which has furnished us with fresh Materials, of which the Town has not been yet apprized. But before we come to give the Particulars of her Trial, it will not be amiss to refresh the Reader's Memory with some remarkable Incidents that have occurred since the Trial of *Mary Squires* the Gipsy, for robbing this *Canning* of her Stays in the House of Mother *Wells*, at *Enfield-Wash*, on the 2d of *January*, 1753.

AT that Trial there appeared in Behalf of the Gipsy three Men from *Abbotsbury*, who

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swore

swore she was at that Town and in the Neighbourhood thereof, at the Time and several Days after, when the said Robbery was sworn to be committed at Mother *Wells's*. Their Evidence, together with the improbable Circumstances that attended the Story as related by *Canning* herself, induced my Lord Mayor, Sir *Crisp Gascoyne*, and several other Gentlemen in the Court to believe, that a full Discovery was not made of the Truth. Neither were the Court in general satisfied with the Verdict given against the Gipsy. For upon a Motion made by one of the Council for the Prosecution, that the three *Abbotsbury* Witnesses should stand indicted for Perjury, in giving false Evidence, another Council on the same Side, disagreed to that Motion, for *it was not clear to him that they merited any such Imputation*. To which a Gentleman of great Eminence replied, *No more it is to me*.

THESE were sufficient Inducements to his Lordship, as an impartial Administrator of Justice, to try if he could not investigate the Truth by some other Means than had been offered. For this Purpose he ordered Letters to be wrote to some of the principal Inhabitants of *Abbotsbury*; and by the Answers received to those Letters, he was clearly convinced, that false Evidence had been given against the Gipsy, and that she was wrongfully condemned. Upon which he made Application for a Respite of the Sentence, which was obtained for six Weeks,



Weeks, and afterwards an absolute Pardon was granted her.

UPON these fresh Discoveries, a Prosecution was commenced against *Canning* for Perjury. But to prevent so fatal a Blow from taking Effect, her Solicitor resolves to countermine their Works, by indicting the three Countrymen who had appeared for the Gipsy at her Trial, for the same Crime. Pursuant to this Resolution, he obtains a Warrant from a worthy Alderman, and out of the abundant Zeal for the Cause he had undertook to defend, will trust Nobody with the Execution of it but himself. Accordingly he takes three Assistants with him well armed, and, to make the speedier Expedition, hurries away with them in two Post-Chaises into the Country. On their Arrival at the Town, they immediately took up two of the Men. Upon which the Peace-officer there, demanded to see his Warrant; but this the Solicitor denied, affirming he was the King's Messenger, and that he was ordered to bring them before his Majesty and the Council the next Night; and without any Delay, set out with them for *Dorchester*, where, at the pressing Instances of his Prisoners, he carried them before two Justices of the Peace, to whom he shewed his Authority; where sufficient Bail was offered for their Appearance, but peremptorily refused; yet was he forced to discharge one of them, whose Name they had mistaken in the Warrant; but *Clarke*, the other, he conveyed safe to *London*; and to make sure

Work, instead of lodging him in any Prison, confined him in his own House, from *Saturday* Night till *Tuesday* Morning, not allowing him the Use of Pen, Ink, or Paper to write to any Friend.

BUT what End or Purpose did this vigilant Gentleman propose to answer by this extraordinary Exploit? To which, this Answer may be given. *Virtue Hall* had lately made a public Recantation of the Evidence she had given against *Squires*; and they were in Hopes to prevail on this Man to retract, in the same Manner, what he had sworn in her Behalf; telling him, as they travelled together on the Road, that it was in his own Power to avoid the Prosecution that was bringing against him, and assured him he should come to no Hurt, if he would but say, that the old Gipsy, lately convicted at the *Old Bailey*, was not the same Woman he had seen at *Abbotsbury*; since it was well known, that there were two Sisters of the Name of *Squires*, who were so extremely alike, that they could hardly be distinguished.

ANOTHER Advantage they propos'd to reap from this Prosecution was, to take off the Evidence of three of the principal Witnesses that had given their Testimony for the Gipsy; and if this could be done effectually, it was not doubted but the rest would be intimidated and terrified, so as either not to give their Evidence at all, or to give it in such a weak
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and confused Manner as to be of no Service to the Cause they espoused. But is this fair Practice? Shall a little Pettifogger have it in his Power thus to baffle Justice and evade the Laws? or deprive a *British* Subject of his Liberty? 'Tis well, however, that the superior Courts are sufficiently authoriz'd to call him to a severe Account for any Misdemeanours he may have been guilty of in Respect to his Practice.

How assiduous the Solicitor was in Defence of his Client, appears from the many Advertisements he published to procure Witnesses to support his Cause; nor was his Labour and Expence thrown away, for Numbers soon were found to attest and corroborate the Evidence on which the Gipsy had been cast. And to prevent, if possible, this poor old Wretch from obtaining his Majesty's Pardon, inflammatory Advertisements were thrown out, to raise a general Indignation against the Gipsies, and great Pains were taken to possess People with a Belief, that some of *Canning's* Witnesses had been most villainously used by those of the opposite Party, merely for giving their Evidence against the Gipsy at the *Old Bailey*. Affidavits were likewise made, if we may take Mr. *Myles's* Word, that some Persons threatened to set the whole Neighbourhood of *Enfield* on Fire, if the Gipsy were hanged. But I never heard that these Affidavits were ever seen by any Body.

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It would be endless to recite all the idle and fraudulent Stories that were broached on that Occasion, to captivate the Passions of the the People, and prepossess them in Favour of this poor Innocent Girl, as they affected to call her. But surely Truth has no need of such little Legerdemain Tricks to support its Cause. Truth is secure in its own, native Simplicity, and seeks no other Assistance but plain Facts, against the open Violence of Oppressors, or the dark juggling Chicanes of malicious Underminers.

BUT to shew the true Spirit of these People, not content to quarrel with every Body who did not join in Opinion with them of their Favourites Innocence, they most audaciously fell foul on my Lord Mayor himself, for undertaking the Gipsy's Defence, though it was visible to all the World, that he could possibly have no other View in it, than an honest Endeavour that Justice might have its due Course: Yet for this, a thousand slanderous Stories were invented to asperse his Character, and depreciate his Worth; nor did these Malignants forbear to insult him in the public Streets and abuse him in all Companies. But to proceed to other Matters.

IN the *April* Sessions at the *Old Bailey*, 1753, the two Indictments, that against *Canning*, and that against the *Abbotsbury* Men, were preferred to the Grand Jury, who on examining the Witnesses on both Sides, finding a direct Contradiction



tion between them, threw out both the Bills, to prevent the Number of Perjuries that the Trials of these Causes would occasion in Court.

THE Parties concerned, however, did not rest here; for a little before the next Sessions in *June*, *Canning's* Friends being informed, that another Bill would be preferred against her at that Sessions, they thought they had an equal Right to prefer Bills against the Gipsy's Witnesses, which, by the Assistance of their Solicitor, they accordingly did. All which Bills were found by the Grand Jury, in order to bring both Causes to a fair Issue. However, it plainly appeared, and was indeed confessed by *Canning's* Friends, that after the first Bills were thrown out, that they would have dropt all farther Prosecution of the Cause, had not the Attack been renewed by the opposite Party; so that it is evident, that their sole Design was, to protect and defend the Girl, and not for the sake of Justice, or to detect and punish Crimes of the blackest Dye, with which one Side or the other must be chargeable.

At last it was agreed between the two Solicitors *Mr. Ford* and *Mr. Myles*, to remove all the Indictments by *Certiorari* into the *King's Bench*, and that sufficient Persons should become Bail, in the Penalty of 200 *l.* for each of the Defendants Appearance in that Court. To confirm which Agreement, they entered into a Rule of Court, to bring their Cause on to Trial in that present Term, or at the first
Sittings

Sittings out of it. But Mr. *Masserman*, Mr. *Myle's* Clerk in Court, soon after informed both him and Mr. *Ford*, that it was impracticable to try these Causes at the Time agreed on, and therefore advised them to carry back their Indictments to the *Old-Bailey*, and try them in that Court, which was likewise recommended by their Council, Sir *Richard Loyd*, and Mr. *Hume Campbell*. Accordingly the *Gipsy's* Witnesses gave Bail for their Appearance at the next Sessions, provided however, that the Cause could not in the mean Time be brought to Trial in the *King's Bench*. The Girl indeed, was conveyed into private Quarters; yet her Solicitor moved the Court the last Day of Term for a *Certiorari* to remove the Indictments against the *Gipsy's* Witnesses into the Court of *King's Bench*; but alledging no Reasons to support the Motion, it was rejected; and then the Council who opposed the Motion, offered in open Court, to consent to the Removal of the Indictments in Case the Girl's Friends would undertake to produce her. But this Offer was not accepted.

THE Motive pretended by *Canning's* Solicitor for refusing to have her tried at the *Old Bailey*, were, that Mr. *Ford* had some particular Reasons for being so desirous of having that Matter tried there, rather than in the *King's Bench*, and therefore it behoved them to be the more on their Guard; intimating, that if the Trial of the Girl could be deferred till the Lord Mayor was out of his Office, thy should not be

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unwilling to put in Bail for her Appearance in *September* Sessions, because the Trial could not be brought on till the Sessions after, when his Lordship would have quitted his Chair.

Mr. *Ford*, on the other Hand, said, that such a Supposition was as ridiculous as it was groundless, and calculated only to impose upon the Ignorant, by supposing a Case which they knew was impossible should happen, that a Lord Mayor has it in his Power to influence a Jury unduly, or pervert the Course of Justice by his sole Authority. Yet this was their only Excuse to screen the Girl from Apprehension by the Warrant issued against her upon the Indictment for Perjury, and thereby delaying that Justice, which the Public had a Right to expect; and to remove the Dread which some People affected to be under from his Lordship's presiding in Court at the Trial, declared, that his Lordship had determined to be absent from the Bench on that Day. Besides, the Right every Prisoner has to object to Jurors, upon shewing their Unfitness to try the Person accused, is an effectual Bar to any Oppression from prejudiced or partial Jurymen.

BUT no Arguments could prevail on the Girl's Friends to surrender her up to Justice. Collections and Subscriptions still went forward, as well to support and carry on the Prosecution, as to reward the Girl for her prodigious Sufferings in the Cause of Virtue. This we may learn from their Advertisements;

of which take these Specimens. The first is a
N. B. tacked to CANNING's *Cafe*.

N. B. ' As the Persons concerned in carrying
' on the Prosecution, are determined to proceed
' against the Parties concerned in this inhu-
' man Act of Barbarity, they hope the Chari-
' table and Humane will chearfully assist them,
' by sending in their Donations, so as to enable
' them not only to prosecute the Persons already
' in Custody, but likewise to offer a Reward for
' the apprehending the two Men who robbed
' the unhappy Girl.' And then, to excite Com-
passion the more strongly for the Miseries she had
suffered, the following Note in *Italics* is added.

*** *The Quantity of Bread and Water which
Elizabeth Canning had to subsist upon, from
Jan. 2d. to Jan. the 29th included, was about the
Quantity of a Quartern Loaf, in Stale Mouldy
Crusts, and a Gallon of Water.*

February 24. 1753. appeared the following
Advertisement in one of the Daily Papers.

' DONATIONS for carrying on the Prosecution
' against the Persons who robbed and cruelly
' used *Elizabeth Canning*, are continued to be
' taken at the following Places, viz. The Royal
' Exchange Coffee-house, in *Threadneedle Street*;
' at *Loyd's* Coffee-house in *Lombard Street*;
' at *St. Dunstan's* Coffee-house in *Fleet Street*;
' at *Mr. Say's*, Printer, in *Newgate Street*; and
' at *Mr. Francis Roberts's* in *Aldermanbury*
Postern,



‘ *Postern*, who is appointed Treasurer for carrying on the Prosecutions.’

N. B. ‘ Part of the Money which has been hitherto received, is designed for the *Benefit* of the above-mentioned *Elizabeth Canning* : And the Expences which have unavoidably attended this Affair having been very considerable, and likewise will be attended with still greater, before such a *desperate Gang* can be rooted out; it is hoped the Conviction of *Squires* and *Wells* will not be a Means of hindering further Donations for apprehending the other Villains, who, if not detected, may commit more *Enormous Acts of Violence and Cruelty*!’

BUT had these eager Prosecutors for the Sake of Justice given the Publick a Bill of Particulars of the Expence they had been at, the World would have been better able to judge, than now they are, whether the Donations, which were so warmly solicited, were designed as a Charity to comfort and relieve the poor injured Innocent, or to put Money into the Lawyers Pockets. It was generally allowed, that not much less than 300*l.* was then actually collected for these pious Uses. What Share of it was laid up for the Girl, I know not; yet it is certain, that the ordinary Expence of a Trial at the *Old Bailey*, even allowing a large Number of Witnesses, does not amount to more than 40 *s.* yet it is affirmed, that many more Pounds were expended, only in bringing *Squires* and *Wells* to Justice, though the Witnesses against them were but few, and most of

them the Girl's own Friends, and consequently voluntary: Yet even this may in some Measure be accounted for, when it is remembered, that a *Trading Justice*, his *needy Clerk*, and a *hungry Solicitor*, had the chief Management of the Cause, and affords a special Reason for these frequent Calls upon the Public for more Money, even when the main Business was over. Nay, so great was their Distress (if you will believe them) that when *Canning* was indicted for Perjury, her Friends publicly declared in the News Papers, that the chief Reason why they did not surrender her up to take a fair Trial, was, that all the Money which had been collected was already spent, and that they could not afford to be at the great Expence that must necessarily attend the bringing up and maintaining such a Number of Witnesses as they had to examine, and were absolutely necessary to clear her Innocence. Upon which an Advertisement was immediately published by the opposite Party, and frequently repeated, offering the Sum of 50 *l.* to be deposited in reputable Hands, to be given to *Canning's* Friends towards their Expence in defending her, on Condition they would bring her forth to Trial. But whether through a Distrust of the Goodness of her Cause, or for other Reasons not known to the Public, all the Efforts that the other Side exerted to bring her to Justice, proved ineffectual, even after my Lord Mayor was out of his Office, whose Presence on the Bench, at the Trial, they so strongly objected to.

THIS



THIS strange Reluctancy to come to a fair Trial, and the many Evasions used to avoid it, seems to me a plain Indication, that her Friends, at least some of them, were conscious of her Guilt: For when they considered how strenuous they had appeared in her Defence, while they thought her Innocent, yet now, though they were convinced in their own Minds, that she was not so, it would cast a Slur upon their Judgments, if she should be openly convicted; and therefore to save their own Credit, were very unwilling to run the Hazard of a Conviction.

BUT the Party for the Prosecution were resolutely determined to bring her into Judgment, if by any Methods in the Law, they could force her to it. For this Purpose an Outlawry was commenced against her, which, if any Thing could bring her forth, must necessarily do it. This had the desired Effect; for her Friends, dreading the Consequences of an Outlawry, a little before the Sessions, gave Notice to the Solicitor for the Prosecution, that they would surrender her up to Trial; which they did accordingly, and she was tried and convicted of the Perjury, of which she stood indicted.

By these cursory Remarks and Observations the Reader will be pretty well able to judge in what Manner this Cause has been carried on and managed in the Behalf of *Canning*, and how strenuously her Abettors and Adherents have exerted themselves in her Defence. Her
Soli.

Sollicitors did Wonders at the first Outset of the Cause, by giving it a Reputation with the Public, and in settling a Fund for the Payment of their own Bills, by raising a Tax on the Charity of the Benevolent and Humane.

BUT notwithstanding these Efforts of the Lawyers to establish the Credit, and vindicate the Innocence of their Client, yet there were some People so incredulous, as not to be perfectly convinced, either of the *Gipsy's* Guilt or *Canning's* Innocence; and the Improbability of her Story daily adding to the Number of these Unbelievers, it was judged highly necessary, in order to keep the Spirits of the Party from flagging, to employ some able Pens, not only to justify their Proceedings hitherto in her Behalf, but to solve all the Difficulties and Improbabilities, and to remove every Objection that had been made to the Credibility of her *incredible* Romance. If the Reader is curious to know how well they performed their Task, let him read their laborious Productions, and he will be satisfied.

HAVING thus given a general View of the Management and Practices of the several Parties concerned in this famous Cause, we now come to the Trial itself; a Trial as remarkable for the great Variety of Incidents that were to be submitted to the Decision of a Jury, as, I believe, were ever brought before a Court. Contradictions were to be reconciled, the highest Improbabilities to be solved, and the most intricate



tricate and puzzling Difficulties to be accounted for and removed, on the one Side, and to be answered and refuted on the other ; and all this on the positive Oaths of near a hundred Witnesses ; and, what is still more astonishing, the Truth to be sifted out through a Multitude of Contradictions, as opposite as Light and Darknes. This was the State of the Cause, when it came before the Court and Jury ; of which we shall now give the Reader as concise, yet as perspicuous a View as we can.

AT the Sessions of Oyer and Terminer and Goal Delivery, held for the City of *London* and county of *Middlesex* at Justice Hall, in the *Old Bailey*, before the Right Honourable *Thomas Rawlinson*, Esq; Lord Mayor, Mr. Baron *Legge*, Mr. Baron *Clive*, Mr. Justice *Dennison*, and others his Majesty's Justices for the City of *London* and County of *Middlesex*, held on Monday the 29th of *April*, *Wednesday*, *Friday*, *Saturday*, and *Monday*, the 1st 3d 4th and 6th of *May*, 1754. *Elizabeth Canning* was brought to the Bar, and indicted, for that she not having the Fear of God before her Eyes, did wickedly and cruelly endeavour by Perjury, which is false Swearing, to take away the Life of one of his Majesty's Subjects, contrary to the Laws of this Kingdom, and his Majesty's Crown and Dignity.

To which Indictment she pleaded *Not guilty*.

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THE Witnesses of *Mary Squires* were then all called over, to the Number of Fifty-four, from the Places mentioned in the Journal which we shall presently insert, who were separately sworn and examined; and all as near to the Time as possible, gave an exact Account according to the Journal; and the Examination of these Witnesses took up three Days, and Part of another.

DURING the Examination, the strictest Care was taken, and the nicest Observations made, by the Council on both Sides; and considering, that the far greatest Part of these Witnesses were ignorant Country People, and the Awe which their appearing before a Court of Justice, must strike on Persons not accustomed to Places of such Solemnity, they gave their Evidence very satisfactorily.

BUT before we enter upon the Examination of the Witnesses, it may not be amiss to take Notice of the extraordinary Behaviour of the People without Doors, in the Yard, I mean the Zealots for *Canning*.

No sooner was the Trial begun, but the old Leaven of Spite and Malice against the Gipsy began to work again; the Mob was gathered, and ready to treat the Witnesses for the Prosecution in the same lawless and cruel Manner they had done *Fortune Natus* and his Wife at the Trial of *Squires*; but were happily prevented



vented by an especial Care taken to have them concealed from their Fury, till the very Instant they were called to give their Evidence, and then were brought up singly, and examined separately.

THE Mob being thus disappointed in their villainous Design upon the Witnesses, could not rest till they had shewn their Resentment somewhere. Accordingly when the Court broke up at Night, they fell foul of Mr. Alderman *Gascoyne*, who had been the Means of saving the Life of the Gipsy, and by his Vigilance and Assiduity had brought their Favourite *Canning* into such manifest Peril as she then was in; and as soon as he was got out of the Court, insulted him in the most outrageous Manner, abused him with the most vile and scurrilous Language, pelted him with Mud and Dirt, and obliged him to take Refuge in a House for the the Protection of his Life.

THE next Night another large Mob was got together in the Sessions Yard, vowing Revenge against the same worthy Alderman, as soon as he should come out of the Court. Which the Lord Mayor being informed of, thought it adviseable, to prevent further Mischief, to disperse them by fair Means; and for that Purpose came out upon the Leads and read the Proclamation against Riots; which had the desired Effect; and they all got away in an Instant.

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As this intricate Affair had long engaged the Attention both of Town and Country, and divided all Ranks and Degrees of people into two Factions or Parties, the one distinguished by the Name of *Canningites*, and the other called *Egyptians*, each violently heated against the other's Favourite, *Canning* or the *Gipsy*; and all their Disputes being now likely to be determined by the Event of this Trial, the Court was prodigiously crowded, every one being willing to gratify his Curiosity on this memorable Occasion.

THE Council for the Prosecution were, Mr. *Willes*, Mr. *Davy*, and Mr. *Gascoyne*, and for the Prisoner, Mr. *Moreton*, Mr. *Williams* and Mr. *Mears*.

THE Council for the Prisoner were prepared to make Objections to some Parts of the Indictment: But the Design of objecting to the Matter or Form of Indictments, being generally to gain Time, or delay Justice, the Court previously requested them to disregard that Circumstance, however plausible their Arguments might be, for the Sake of speedy as well as certain Justice. Mr. *Gascoyne* then opened the Indictment, and having shewn the Importance of the Cause then in Hand, and the Necessity, if possible, of discovering the Truth, he proceeded to examine the *alibi* Evidence of *Mary Squires*, and then considered the Contradictions in the Prisoner's own Depositions, before the different Magistrates who examined her, and concluded with shewing the Absurdity



dity and Inconsistence of the whole Story, which, as one of the Council, said was *Felo de se*. It was farther observed, That upon her first Information before Mr. Alderman Chitty, her Story was simple, unpremeditated, and unconnected; that as new Matter arose it still increased, and grew more complicated and circumstantial. That at first she described the Room she was confined in, as a little dark square Room, in which was only an old Stool or two, an iron Grate, an old Table, and an old Picture over the Chimney; that she had nothing to lie upon but bare Boards, no Mention being made of Hay or Straw; but she said there were two Windows, one of Glass, and the other fastened with Boards; neither was any Mention made in this Information, of the Gipsy, nor of any Attack upon her Virtue, or her being subject to Fits: But in her Deposition before Mr. Tyshemaker, she omitted many Circumstances which she had mentioned before, and added others which she had not mentioned. That, in short, not one Particular in her first Description of the Room, corresponded with what it was afterwards found to contain. Instead of a Grate, the Floor of the Chimney was found covered with Cobwebs, that seemed the Work of many Generations of Spiders; three Saddles were found in the Room fastened to the Walls with the Webs of the same industrious Insects, a large Nest of Drawers was also found in the Room, half a Load of Hay, and an old Bed. The
Room

Room itself, instead of being small, square, and dark, measured thirty Feet long, by nine broad, had a Casement so wide that a Man might get thro' it, and so low that a Child might have crept down without any Danger of Hurt. That her Deposition before Justice *Fielding*, and her Deposition at the Trial, in many material Circumstances were contradictory. At first she deposed, that her Bread and her Water failed her on *Wednesday* the 24th of *January*; at another Time, that they failed her on the *Friday* following; but in the Court she swore, that she drank the last of her Water about half an Hour before she made her Escape on *Monday*. Many other Particulars were enumerated before they proceeded to the Examination of Witnesses.

MR. *Chitty* was the first called, who proved the Record of the Gipsy's Conviction; and then Mr. *Gurney*, the short-hand Writer, swore to the Substance of her Evidence, as expressed in the Minutes which he took in Court.

AFTER which they proceeded upon the *Alibi*; when *Esther Hopkins* swore, that the Gipsy, her Son and Daughter, were at *South Perrot*, about ten or twelve Miles below *Abbotsbury*, on the 29th of *December*, 1752; and that she remembered it, because two Gentleman went away and left their Reckoning unpaid, which she set down in a Book, and at the same Time



Time looked in the Almanack to see what Day of the Month it was.

ALICE PARNHAM deposed, that she saw them on the *Saturday* at *Whinyard-Gap*, about a Mile on this Side *South Perrot*, and she remembered the *Gipsy* in particular, because she compared her with old Mother *Shipton*.

THE next Witness called, was *George Squires*, though no great Strels could be laid on his Evidence, though very circumstantial, because, though he had been from Home ever since the Time of Harvest before, and, as he said, had travelled from his Lodgings at *Newington* in *Surry*, through *Kent*, *Sussex*, *Hants*, *Somersetshire* and *Dorsetshire*, yet could not tell one Place at which he had lain, till he arrived at *South Perrot*, when his Evidence in Favour of the *Gipsy* commenced.

MR. WILLIS, however, an Attorney, was called upon to corroborate his Evidence, but as he could only prove, that he accompanied *Squires* six Months afterwards, to the Places where he said he had called, his Evidence was judged of no Consequence.

SEVERAL other Witnesses were called, who swore they saw the *Gipsy*, her Son and Daughter, at several Places upon the Road; but some contradictory Circumstances were positively sworn to by different Persons, which much

much lessened the Credibility of their Evidence; particularly, *George Squires* swore he dined upon a *Monday* at *Lytton* upon two Fowls; but one *William Clark*, a Sweet-heart to *Lucy Squires*, the old Woman's Daughter, swore he was at the same House at the same Time, and that they had only a Part of a Fowl among them all.

ONE Proof however, of the Gipsy's being at *Basingstoke* on *January 18*, must be deemed conclusive. This was a Letter written at *Lucy's* Request, by one *Mary Morris*, directed to the Post Office at *Dorchester*, for Mr. *Clark* near *Abbotsbury*. This Letter was dated as *Basingstoke* the 18th, had the *London* Post Mark of the 19th upon it, and two different Charges, and by happening to be delivered to a wrong Mr. *Clark* at *Dorchester*, was returned to the Post Office there, where it was discovered by an Accident.

THESE and many more Witnesses were produced to prove, the *Alibi* of *Mary Squires* at the Time the Prisoner at the Bar had sworn she had robbed her in the House of *Susannah Wells* near *Endfield Wash*. But the Particulars of the Evidence given by the great Numbers that were afterwards examined on the Side of the Prosecution, are too many to be related here; yet this we may observe, that all of them corroborated one another in the general Testimony they gave, of the Gipsy's being at some or other of the Towns and Places in those



those Parts, the latter End of *December* and the Beginning of *January*. Only one Witness more we shall mention, and that is, a Gentleman of Credit and Fortune, who happened to lie the same Night at *Combe* that the Gipsy lay there, and passing through her Chamber to his own, saw her and her Daughter in Bed together. But that we may give the Reader all the Satisfaction in our Power, we have here subjoined

A Journal of the Towns the Gipsy came through from Abbotsbury; and from whence she brought her Witnesses; distinguishing the Days by the Old and New Stile.

	O.S.	N.S.
Left <i>Lytton</i> , and came to <i>Abbotsbury</i> , 5 Miles, <i>Monday</i> .	Dec. 21.	Jan. 1
Continues at <i>Abbotsbury</i> , as all the whole Town can Witness, to <i>Monday</i> .	28	8
Left <i>Abbotsbury</i> and came to <i>Portesham</i> , one Mile, <i>Tuesday</i> .	29	9
Lay at <i>Portesham</i> at <i>Frampton's</i> the Chequer that Night.		
Left <i>Portesham</i> , and came to <i>Ridgeway-Hill-foot</i> in the Parish of <i>Upway</i> , 4 Miles, <i>Wednesday</i> .	30	10
Lay at <i>Ridgeway-Hill-foot</i> , at <i>Bentley's</i> the Sloop, <i>Thursday</i> .	31	11
Lay under a Hedge, <i>Friday</i> .		
Lay in a Barn at <i>Chettle</i> , <i>Saturday</i>	2	13
Lay in a Barn at <i>Martin</i> , near <i>Pentridge</i> , <i>Sunday</i> .		

Lay

Lay at *Combe*, at Widow *Greville's*
the *Lamb*.

Came to *Stoptage*, i. e. *Stockbridge*,
which is 18 Miles from *Combe*.

From *Monday* to *Wednesday* not ac-
counted for.

Came to *Basingstoke*, drank at se-
cond Alehouse, which is 19 Miles 7-----18
from *Stockbridge*, *Thursday* and 8-----19
Friday.

Lay at *Bagshot-Heath*, *Bagshot* is
19 Miles from *Basingstoke*, *Satur-*
day. 9-----20

Lay at *Brentford*, at Mr. *Edwards*,
which is about 19 Miles from
Bagshot, *Sunday*. 10-----22

Lay at ditto, *Monday*. 11-----22

Lay at ditto.

On one of these Days, *Mary Squires*
says she came to Mrs. *Wells's* at
Enfield-Wash, on *Tuesday* or *Wed-* 12-----23
nesday. 13-----24

Enfield-Wash is about 20 Miles from *Brentford*,
by the way of *London*.

THE Evidence for the Prosecution being
gone through, the Prisoner's Witnesses were
called to the Number of Thirty-six, severally
sworn, and separately called up and examined.

THE Turnpike Man on *Stamford Hill*
swore, that New Year's Day, about ten o'Clock
at Night, he saw the Girl carried by between
two Men.

THEIR



THERE were several others who swore that they saw the Girl on *Enfield Road*, the Night she said she was carried to *Wells's House*.

Thomas Bennet, of *Enfield*, deposed, that the same Night she is said to have made her Escape from her Confinement, she asked him the Way to *London*, and told him she had been sadly frightened by the *Tanner's Dog*.

Mr. Jones, Founder in *Shoe Lane*, and *Mr. Ward*, a Breeches-maker in *Maiden Lane, Southwark*, separately swore that *Mother Wells* told them, that the Girl (meaning *Canning*) was confined in her House near *Enfield* Twenty-eight Days.

ONE Olney, a Farmer at *Northawe* in the County of *Hertford*, deposed that *Mother Wells* told him, that it was not she that cut the Girl's Stays off, but the Gipsy Woman that did it.

HERE the Council for the Prosecution observed, that the Evidence given by these People was no Proof, since they could say nothing that implied Facts; and it might be said by any Body that had Discourse with *Mother Wells* or any of the People in her House when they were first taken up; nor was there any Doubt but that in their Confessions, the Gipsy and *Wells*, and all that were accused with cutting the Girl's Stays off, were ready enough to accuse one another; and therefore hoped that their

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Evidence might not be deemed a sufficient Proof.

THEN several other Witnesses were called, who swore to the Identity of the Gipsy's Person, and to her being in and about *Enfield* the whole Month of *January*.

HERE the Council for the Prosecution again observed, that these Persons might easily swear to the Identity of the Gipsy, since they had all seen her carried publickly in a Cart before the Justice, and again afterwards in Prison.

SEVERAL Witnesses went so far, as even to swear, that they were in *Wells's* House at the very Time when the Girl was brought in; but on being cross-examined, would not undertake to swear that *Canning* was the same Person. Upon which the Council for the Crown again insisted that this was no Proof, nor tended any Way to Conviction.

OTHERS gave such trifling and incoherent Evidence, as made out nothing but their own Ignorance, or their Willingness to serve a Cause; and what some others deposed, was so far from being of any Service to the Prisoner, that it rather confirmed the Goodness of the Gipsy's Cause.

THE Evidence being gone through, Mr. *Davy*, of Council for the Prosecution, spoke in



in Reply for upwards of two Hours, with great Force of Eloquence and Strength of Reason, still directing himself to the Judgment, and not to the Passions of the Jury. We wish it were in our Power to give our Readers his Speech at large; but as that cannot be done, we shall only give a short Sketch of it, as taken upon Memory.

‘ Few Persons endeavour to seek after Truth
 ‘ beyond the Belief they are already possessed of.
 ‘ Men who can blindly engage themselves in
 ‘ any particular Opinion, will as stubbornly
 ‘ maintain it. Passion usurps the Place of Judgment, and Reflection is drowned in Prejudice.
 ‘ Pride will not suffer some to acknowledge
 ‘ themselves capable of being mistaken, while
 ‘ Indolence induces others to repose an implicit Confidence in Reports, without enquiring
 ‘ whether they have any rational Foundation;
 ‘ they acquiesce in, and propagate the Tales,
 ‘ merely on the Reputation of the Relator. Errors thus rivetted on weak Minds, resist Demonstration as well as Argument; stedfastly
 ‘ resolved against Conviction, they not only
 ‘ reject the Means that are offered for that Purpose, but are even angry at the Attempt, as a
 ‘ Reproach upon their Understanding; and if
 ‘ in Opposition to Truth, Interest should be
 ‘ thrown into the Scale with Falshood, no
 ‘ Wonder if the latter animates them to become the Tools of Resentment, or Instruments
 ‘ of Abuse, in any Affair that can be made to
 ‘ Square with their Sentiments and Inclinations:

‘ But be it remembered that Infallibility is not
 ‘ an Attribute of Human Nature; the Best
 ‘ and Wisest may err, and have been deceiv-
 ‘ ed; nay, the Former, from their native
 ‘ Goodness of Heart, are most liable to Im-
 ‘ position. Strangers to Fraud, with Difficul-
 ‘ ty entertain a Jealousy of it in others;
 ‘ and a well painted Scene of distressed Inno-
 ‘ cence, never fails of having its proper Weight
 ‘ with a compassionate Disposition. Never-
 ‘ theless it is well known, that the worthiest
 ‘ Cause may be more injured than assisted by
 ‘ an indiscreet Zeal, and that intemperate
 ‘ Heats rather give Room for Suspicion, than
 ‘ furnish Means for Conviction.’

‘ THESE Reflections, though equally appli-
 ‘ cable to both, are not intended to impeach
 ‘ either the Credit or Conduct of any one par-
 ‘ ticular Party.’

THE Council having finished his Reply,
 about Ten o’Clock the Charge to the Jury
 began, and continued to near One in the
 Morning.

THE Jury then retired to consider of their
 Verdict, and after about two Hours Consulta-
 tion, they came into Court, and by their
 Foreman declared the Prisoner *guilty of Per-
 jury*, but not *wilful and corrupt*. Upon
 which the Recorder told them, that he could
 not receive their Verdict, because it was *Parti-
 al*,



al, and they must either find her guilty of the whole Indictment, or else acquit her. Upon which they went out a second Time, and on their Return, brought her in *guilty of the Indictment*. Upon which she was committed to the Custody of the Keeper of *Newgate*.

ABOUT seven o'Clock in the Evening, at the Close of the Examination of the Witnesses, Mr. Alderman *Gascoyne* was advised by his Friends to retire, to avoid the Danger of a formidable and threatening Mob, who openly avow'd his Destruction---though for no other Cause but his great Humanity in protecting a poor friendless innocent Wretch from Punishment, and his steady Perseverance in bringing the Guilty to Justice.

THE Event of this strange and unaccountable Affair affords many useful Reflections. Here we may see the Excellency of our *English* Laws that never spare the Guilty, when they shall be found so by sufficient Evidence; and yet so tender of the Life of a Subject, that if he should be found guilty upon false or doubtful Evidence, a Power is reserved in the Crown for the Remission of the supposed Criminal. Of this Latter, the unhappy *Squires* was a remarkable Instance, who, by a most injurious Prosecution, was doom'd to the most ignominious Death that our Laws can inflict, yet, by a proper Application to the Throne, was redeemed from the fatal Execution. Of the
Former,

Former, *Canning* may be said to be a memorable Example, who though a long while screen'd and protected, and all imaginable Methods taken to prepossess the Publick in her Favour, yet when the Iron Hand of Justice laid hold of her, all partial Considerations were laid aside, nothing but the full Proof of her Innocence could stand her in any Stead; of which failing, she was obliged to submit to the impartial Verdict of an uninfluenced and unprejudiced Jury. These two Instances should make us set a high Value on the Constitution we live under, which so well secures the Life and Liberty of the Subject, and punishes Offenders of all Sorts in a Manner adequate to their Crimes.

F I N I S

